

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THOMAS G. GIBSON,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
PROGRESSIVE SPECIALTY	:	No. 15-1038
INSURANCE COMPANY,	:	
Defendant.	:	

**ORDER**

AND NOW, on May 12, 2015, upon consideration of Defendant Progressive Specialty Insurance Company's Motion to Dismiss (doc. 9) and Plaintiff Thomas G. Gibson's Response (doc. 11), and in accordance with my memorandum opinion, it is ORDERED that Progressive's Motion is granted in part:

1. Count II is limited to Gibson's claim concerning Progressive's use of MES Solutions.  
All other allegations of statutory bad faith are dismissed with prejudice.
2. Count III is dismissed with prejudice.

BY THE COURT:

/s/ Timothy R. Rice  
TIMOTHY R. RICE  
U.S. MAGISTRATE JUDGE